

ALTER, GOLDMAN & BRESCIA, LLP  
Attorneys for Defendants  
Joseph D. Grippi and Angela A. Grippi  
550 Mamaroneck Avenue  
Harrison, New York 10528  
(914) 670-0030

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

Plaintiff,

ECF Case

-v-

08 CV 01874

JOSEPH D. GRIPPI, ANGELA A. GRIPPI,  
SOVEREIGN BANK, JP MORGAN CHASE BANK,  
NEW YORK STATE TAX COMMISSION, JOHN  
DOES NUMBERS 1 to 10 (Persons or Entities with an  
Interest in the Property Herein),

ANSWER

Defendants.  
-----X

Defendants Joseph D. Grippi and Angela A. Grippi hereby appear by their attorneys, Alter, Goldman & Brescia, LLP and demand that all further documents be served upon Alter, Goldman & Brescia, LLP on behalf of Joseph D. Grippi and Angela A. Grippi at the address set forth below.

Defendants Joseph D. Grippi and Angela A. Grippi as and for their Answer to the Complaint served herein set forth and allege as follows:

1. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 1 of the Complaint.

2. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 2 of the Complaint.

3. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 3 of the Complaint.

4. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 4 of the Complaint.

5. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 5 of the Complaint, except admit that Joseph Grippi and Angela Grippi are husband and wife whose address is 26 Winding Lane, Bedford Hills, New York 10507.

6. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 6 of the Complaint, except admits that on or about June 17, 2003 Sovereign Bank extended a mortgage to Joseph Grippi and Angela Grippi in the amount of \$285,000.00.

7. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 7 of the Complaint, except admits that JP Morgan Chase extended a home equity line of credit to Joseph Grippi and Angela Grippi in the amount of \$55,000.00.

8. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 8 of the Complaint, except admits that NYS Tax Commission has recorded certain tax liens against Joseph Grippi.

9. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 9 of the Complaint.

10. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 10 of the Complaint, except admits that Joseph Grippi was the president, sole shareholder and principal of Milestone Building Associates of Westchester, Inc. and that Milestone had its principal place of business at 81 Russell Street, White Plains, New York 10607. Further, Milestone withheld certain payroll taxes due to the United States.

11. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 11 of the Complaint.

12. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 12 of the Complaint, except admit that on September 24, 2003 Milestone filed a petition for bankruptcy protection pursuant to Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York entitled "In Re: Milestone Building Associates of Westchester", Case No. 03-23605 (ASH).

13. Defendants Joseph D. Grippi and Angela A. Grippi admit the allegations contained in Paragraph 13 of the Complaint.

14. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 14 of the Complaint.

15. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 15 of the Complaint, except admit that on or about August 17, 2000 Joseph Grippi and Angela Grippi become owners of the Property after purchasing it for \$242,300.00.

16. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 16 of the Complaint, except admit that Joseph Grippi and Angela Grippi took out a \$258,000 mortgage on the Property.

17. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 17 of the Complaint.

18. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 18 of the Complaint.

19. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 19 of the Complaint, except admits that Joseph Grippi has continued to live on the Property.

20. Defendants Joseph D. Grippi and Angela A. Grippi deny the the allegations contained in Paragraph 20 of the Complaint.

21. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 21 of the Complaint, except admits that Joseph Grippi took out a \$55,000.00 home equality line of credit from JP Morgan Chase.

22. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 22 of the Complaint.

23. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 23 of the Complaint.

24. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 24 of the Complaint.

25. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 25 of the Complaint.

26. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 26 of the Complaint.

27. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 27 of the Complaint.

28. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 28 of the Complaint.

29. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 29 of the Complaint.

30. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 30 of the Complaint.

31. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 31 of the Complaint.

32. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 32 of the Complaint.

33. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 33 of the Complaint.

34. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 34 of the Complaint.

35. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 35 of the Complaint.

36. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 36 of the Complaint.

37. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 37 of the Complaint.

38. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 38 of the Complaint.

39. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 39 of the Complaint.

40. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 40 of the Complaint.

41. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 41 of the Complaint.

42. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 42 of the Complaint.

43. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 43 of the Complaint.

44. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 44 of the Complaint.

45. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 45 of the Complaint.

46. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 46 of the Complaint.

47. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 47 of the Complaint.

48. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 48 of the Complaint.

49. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 49 of the Complaint.

50. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 50 of the Complaint.

51. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 51 of the Complaint.

52. Defendants Joseph D. Grippi and Angela A. Grippi deny knowledge or information sufficient to form a belief as to the truth or veracity of the allegations contained in Paragraph 52 of the Complaint.

53. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 53 of the Complaint.

54. Defendants Joseph D. Grippi and Angela A. Grippi deny the allegations contained in Paragraph 54 of the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

55. The conveyance of the Property was not in violation of New York State Debtor and Creditor Law Section 273.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

56. The conveyance of the Property was not in violation of New York State Debtor and Creditor Law Section 275, as the conveyance lacked the requisite intent or belief requested by such statute.

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

57. The conveyance of the Property was not in violation of New York State Debtor and Creditor Law Section 276, in that the conveyance lacked the requisite intent required by such statute.

Dated: March 24, 2008  
Harrison, New York

ALTER, GOLDMAN & BRESCIA, LLP

By: /s/ Bruce R. Alter

Bruce R. Alter, Esq. (BA-0457)  
Attorneys for Defendants  
Joseph D. Grippi and Angela A. Grippi  
550 Mamaroneck Avenue, Suite 510  
Harrison, NY 10601  
(914) 670-0030

To: Michael J. Garcia  
United States Attorney for the  
Southern District of New York  
By: Li Yu  
Assistant United States Attorney  
Attorney for Plaintiff  
86 Chambers Street, Third Floor  
New York, NY 10007  
(212) 637-2734



ALTER, GOLDMAN & BRESCIA, LLP  
Attorneys for Defendants  
Joseph D. Grippi and Angela A. Grippi  
550 Mamaroneck Avenue  
Harrison, New York 10528  
(914) 670-0030

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA,

Plaintiff,

ECF Case

-v-

08 CV 01874

JOSEPH D. GRIPPI, ANGELA A. GRIPPI,  
SOVEREIGN BANK, JP MORGAN CHASE BANK,  
NEW YORK STATE TAX COMMISSION, JOHN  
DOES NUMBERS 1 to 10 (Persons or Entities with an  
Interest in the Property Herein),

AFFIDAVIT OF SERVICE

Defendants.  
-----X

STATE OF NEW YORK            )  
  SS:  
COUNTY OF WESTCHESTER        )

Laura Watkins being duly sworn deposes and says:

I am not a party to the action, am over 18 years of age and reside in Harrison, New York.

On the 24<sup>th</sup> day of March, 2008, I served an Answer via first class mail by depositing a true copy thereof properly addressed in a post-paid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service upon:

Michael J. Garcia

United States Attorney for the  
Southern District of New York

By: Li Yu

Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, NY 10007

/s/ Laura Watkins

Laura Watkins

Sworn to before me this  
24<sup>th</sup> day of March, 2008

/s/ Dana P. Brescia

Dana P. Brescia  
Notary Public, State of New York  
No. 02BR6056891  
Qualified in Westchester County  
Commission Expires 4/2/2011